

1 degree programs. Businesses are demanding highly qualified workers and
2 technological advancements gained through university research. At the
3 same time, taxpayers expect policymakers to set priorities and maximize
4 use of public resources.

5 (2) It is the legislature's intent to articulate a strategic
6 direction for public higher education on issues of access,
7 affordability, service delivery, and accountability that will guide
8 coordinated decision making on policies, operating budgets, and capital
9 plans. It is further the legislature's intent to provide the
10 management tools and resources necessary to implement the strategic
11 direction. Additional investment in higher education is needed, but
12 the public deserves assurance that such an investment is based on a
13 clear plan and will be carefully managed with specific expectations and
14 measurable outcomes.

15 (3) It is the strategic direction and intent of the legislature, by
16 the year 2012, to:

17 (a) Increase capacity in higher education by thirty thousand
18 enrollment slots, with fourteen thousand enrollment slots dedicated to
19 expanding work force training;

20 (b) Graduate three thousand eight hundred additional baccalaureate
21 degrees per year by focusing degree production at the regional
22 universities in partnership with community and technical colleges;

23 (c) Expand programs and enrollments targeted toward high demand
24 fields by twelve thousand five hundred enrollment slots;

25 (d) Maintain the market responsiveness and multiple missions of the
26 community and technical college system, including transfer preparation,
27 adult remedial education, work force training, and life-long learning;

28 (e) Assure that the cost of attendance for all students is less
29 than thirty percent of family income;

30 (f) Through the strategic master plan for higher education, create
31 specific targets for enrollments and degree production through analysis
32 of statewide and regional demographics and economic needs and
33 comparison to peer institutions and national benchmarks;

34 (g) Implement the strategic direction and master plan through
35 performance contracts with each institution of higher education;

36 (h) Through financial aid and other new financing or enrollment
37 allocation strategies, leverage the state investment in higher

1 education by using existing capacity at independent four-year
2 institutions of higher education; and

3 (i) Increase the state's overall investment in higher education by
4 four hundred sixty million dollars per biennium, including one hundred
5 million dollars per biennium invested in high priority research, to
6 ensure that Washington's institutions of higher education continue to
7 offer affordable access to the highest quality education and conduct
8 world class research and discovery.

9 (4) It is further the legislature's intent to implement the
10 strategic direction for higher education using the following policies:

11 (a) Expand enrollment at the regional universities, the state
12 college, and branch campuses and freeze undergraduate enrollment at the
13 main campuses of the research universities;

14 (b) Accelerate transition of the branch campuses into four-year
15 universities offering baccalaureate and master's degree programs;

16 (c) Provide a portion of new enrollment funding to community and
17 technical colleges and authorize the colleges to contract with a
18 regional university, branch campus, or the state college to offer
19 baccalaureate degree programs;

20 (d) Create new opportunities for students with associate degrees in
21 technical fields to earn applied baccalaureate degrees;

22 (e) Increase per-student funding for current and future enrollments
23 to the average of peer institutions;

24 (f) Reform the state need grant program to address the goal that
25 cost of attendance is less than thirty percent of family income;

26 (g) Authorize institution governing boards to set tuition rates so
27 that, by the year 2012 and thereafter, tuition and mandatory fees equal
28 the average tuition and fees of peer institutions; and

29 (h) Direct the higher education coordinating board to establish
30 performance contracts with each four-year institution and direct the
31 state board for community and technical colleges to establish a master
32 performance contract for the community and technical college system.

33 **Sec. 102.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
34 to read as follows:

35 The office of financial management, as part of its responsibility
36 to develop and maintain student enrollment forecasts for colleges and
37 universities under RCW 43.62.050, shall calculate enrollment levels

1 necessary to maintain, by educational sector, the participation rate
2 funded in fiscal year 1993. The participation rate shall be based on
3 the state's estimated population ages seventeen and older by
4 appropriate age groups. The participation rate (~~((used to calculate~~
5 ~~enrollment levels under RCW 28B.10.776 and 28B.10.782))~~) shall be based
6 on fall enrollment reported in the higher education enrollment report
7 as maintained by the office of financial management, fall enrollment as
8 reported in the management information system of the state board for
9 community and technical colleges, and the corresponding fall population
10 forecast by the office of financial management. (~~(Formal estimates of~~
11 ~~the state participation rates and enrollment levels necessary to~~
12 ~~fulfill the requirements of RCW 28B.10.776 and 28B.10.782 shall be~~
13 ~~determined by the office of financial management as part of its~~
14 ~~responsibility to develop and maintain student enrollment forecasts for~~
15 ~~colleges and universities under RCW 43.62.050.))~~ Formal estimates of
16 the state participation rates and enrollment levels required by this
17 section shall be based on procedures and standards established by a
18 technical work group consisting of staff from the higher education
19 coordinating board, the public four-year institutions of higher
20 education, the state board for community and technical colleges, the
21 fiscal and higher education committees of the house of representatives
22 and the senate, and the office of financial management. Formal
23 estimates of the state participation rates and enrollment levels
24 required by this section shall be submitted to the fiscal committees of
25 the house of representatives and senate on or before November 15th of
26 each even-numbered year. (~~(The higher education coordinating board~~
27 ~~shall periodically review the enrollment goals set forth in RCW~~
28 ~~28B.10.776 and 28B.10.782 and submit recommendations concerning~~
29 ~~modification of these goals to the governor and to the higher education~~
30 ~~committees of the house of representatives and the senate.))~~)

31 NEW SECTION. Sec. 103. The following acts or parts of acts are
32 each repealed:

33 (1) RCW 28B.10.776 (Budget calculation--Enrollment levels--
34 Participation rate) and 1993 sp.s. c 15 s 2;

35 (2) RCW 28B.10.778 (Budget calculation--New enrollments--Funding
36 level--Inflation factor) and 1993 sp.s. c 15 s 3;

- 1 (3) RCW 28B.10.780 (Budget calculation--Funding level) and 1993
2 sp.s. c 15 s 4;
- 3 (4) RCW 28B.10.782 (Budget calculation--Increased enrollment target
4 level--Availability of information) and 1993 sp.s. c 15 s 5; and
- 5 (5) RCW 28B.10.786 (Budget calculation--Student financial aid
6 programs) and 1993 sp.s. c 15 s 7.

7 **PART II**
8 **TUITION AND FINANCIAL AID**

9 **Sec. 201.** RCW 28B.15.067 and 2003 c 232 s 4 are each amended to
10 read as follows:

11 (1) Tuition fees shall be established under the provisions of this
12 chapter.

13 ~~((Beginning with the 2003-04 academic year and ending with the~~
14 ~~2008-09 academic year, reductions or increases in full-time tuition~~
15 ~~fees for resident undergraduates shall be as provided in the omnibus~~
16 ~~appropriations act.)) Beginning with the 2005-06 academic year, the
17 policy of the legislature is that by the 2011-12 academic year and
18 thereafter, tuition and mandatory fees for full-time resident
19 undergraduates at Washington public institutions of higher education
20 shall be equal to the average tuition and mandatory fees for full-time
21 resident undergraduates at peer institutions. Beginning with the 2005-
22 06 academic year, governing boards of the state universities, the
23 regional universities, The Evergreen State College, and the state board
24 for community and technical colleges may increase full-time tuition
25 fees for resident undergraduates to achieve the policy in this
26 subsection, except that annual increases beginning with the 2005-06
27 academic year and through the 2011-12 academic year may not exceed
28 twelve percent at the four-year institutions and seven percent at the
29 community colleges. Percentage increases in full-time tuition fees may
30 exceed the fiscal growth factor. Reductions or increases may be made
31 for all or portions of an institution's programs, campuses, courses, or
32 students. The average tuition and mandatory fees at peer institutions
33 shall be determined by the higher education coordinating board.~~

34 (3) Beginning with the 2003-04 academic year ~~((and ending with the~~
35 ~~2008-09 academic year)),~~ the governing boards of the state
36 universities, the regional universities, The Evergreen State College,

1 and the state board for community and technical colleges may reduce or
2 increase full-time tuition fees for all students other than resident
3 undergraduates, including summer school students and students in other
4 self-supporting degree programs. Percentage increases in full-time
5 tuition fees may exceed the fiscal growth factor. Reductions or
6 increases may be made for all or portions of an institution's programs,
7 campuses, courses, or students.

8 ~~(4) ((Academic year tuition for full-time students at the state's~~
9 ~~institutions of higher education beginning with 2009-10, other than~~
10 ~~summer term, shall be as charged during the 2008-09 academic year~~
11 ~~unless different rates are adopted by the legislature.~~

12 ~~(5))~~ The tuition fees established under this chapter shall not
13 apply to high school students enrolling in participating institutions
14 of higher education under RCW 28A.600.300 through 28A.600.400.

15 ~~((6) For the academic years))~~ (5) Beginning with academic year
16 2003-04 ((through 2008-09)), the University of Washington shall use an
17 amount equivalent to ten percent of all revenues received as a result
18 of law school tuition increases beginning in academic year 2000-01
19 ~~((through academic year 2008-09))~~ to assist needy low and middle income
20 resident law students.

21 ~~((7) For the academic years))~~ (6) Beginning with academic year
22 2003-04 ((through 2008-09)), institutions of higher education shall use
23 an amount equivalent to ten percent of all revenues received as a
24 result of graduate academic school tuition increases beginning in
25 academic year 2003-04 ~~((through academic year 2008-09))~~ to assist needy
26 low and middle-income resident graduate academic students.

27 **Sec. 202.** RCW 28B.92.010 and 2004 c 275 s 34 are each amended to
28 read as follows:

29 The purposes of this chapter are to establish the principles upon
30 which the state financial aid programs will be based and to establish
31 the state of Washington state need grant program, ~~((thus assisting~~
32 ~~financially needy or disadvantaged))~~ with the goal of ensuring that
33 students domiciled in Washington ((to obtain the)) have an equitable
34 opportunity of attending an accredited institution of higher education.
35 State need grants under this chapter are available only to students who
36 are resident students as defined in RCW 28B.15.012(2) (a) through (d).

1 **Sec. 203.** RCW 28B.92.020 and 2003 c 19 s 11 are each amended to
2 read as follows:

3 (1) (~~The legislature finds that the higher education coordinating~~
4 ~~board, in consultation with the higher education community, has~~
5 ~~completed a review of the state need grant program.~~) It is the intent
6 of the legislature (~~(to endorse the board's proposed changes to)~~) that
7 the board operate the state need grant program(~~(, including)~~) according
8 to the following principles:

9 (a) (~~Reaffirmation that~~) The primary purpose of the state need
10 grant program is to (~~assist low income, needy, and disadvantaged~~)
11 ensure Washington residents have an equitable opportunity of attending
12 institutions of higher education;

13 (b) A goal that (~~the base state need grant amount over time be~~
14 ~~increased to be equivalent to the rate of tuition charged to resident~~
15 ~~undergraduate students attending Washington state public colleges and~~
16 ~~universities~~) the state need grant be used in combination with other
17 state and federal grants, institutional aid, private scholarships and
18 sources of assistance, and employment so that the cost of attendance
19 for a student attending a public institution of higher education in
20 Washington does not exceed thirty percent of family income. Base state
21 need grant amounts for students attending independent institutions of
22 higher education may not exceed tuition at the University of
23 Washington;

24 (c) State need grant recipients be required to contribute a portion
25 of the total cost of their education through self-help;

26 (d) State need grant recipients be required to document their need
27 for dependent care assistance after taking into account other public
28 funds provided for like purposes; and

29 (e) Institutional aid administrators be allowed to determine
30 whether a student eligible for a state need grant in a given academic
31 year may remain eligible for the ensuing year if the student's family
32 income increases by no more than a marginal amount except for funds
33 provided through the educational assistance grant program for students
34 with dependents.

35 (2) The legislature further finds that the higher education
36 coordinating board, under its authority to implement the (~~proposed~~
37 ~~changes~~) principles in subsection (1) of this section, should do so in

1 a timely manner. The board shall report to the higher education and
2 fiscal committees of the legislature by December 15, 2006, on the
3 changes made to implement the principles.

4 (3) The legislature also finds that:

5 (a) In most circumstances, need grant eligibility should not extend
6 beyond five years or one hundred twenty-five percent of the published
7 length of the program in which the student is enrolled or the credit or
8 clock-hour equivalent; and

9 (b) State financial aid programs should continue to adhere to the
10 principle that funding follows resident students to their choice of
11 institution of higher education.

12 **PART III**

13 **SERVICE DELIVERY**

14 **Sec. 301.** RCW 28B.45.014 and 2004 c 57 s 2 are each amended to
15 read as follows:

16 (1) The primary mission of the higher education branch campuses
17 created under this chapter remains to expand access to baccalaureate
18 and master's level graduate education in underserved urban areas of the
19 state (~~in collaboration with community and technical colleges~~).

20 (2) Branch campuses shall collaborate with the community and
21 technical colleges in their region to develop articulation agreements,
22 dual admissions policies, and other partnerships to ensure that branch
23 campuses serve as innovative models of a two plus two educational
24 system. Other possibilities for collaboration include but are not
25 limited to joint development of curricula and degree programs,
26 colocation of instruction, and arrangements to share faculty.

27 (3) In communities where a private postsecondary institution is
28 located, representatives of the private institution may be invited to
29 participate in the conversation about meeting the baccalaureate and
30 master's level graduate needs in underserved urban areas of the state.

31 (4) (~~However, the legislature recognizes there are alternative~~
32 ~~models for achieving this primary mission. Some campuses may have~~
33 ~~additional missions in response to regional needs and demands. At~~
34 ~~selected branch campuses, an innovative combination of instruction and~~
35 ~~research targeted to support regional economic development may be~~
36 ~~appropriate to meet the region's needs for both access and economic~~

1 viability. ~~Other campuses should focus on becoming models of a two~~
2 ~~plus two educational system through continuous improvement of~~
3 ~~partnerships and agreements with community and technical colleges.~~
4 ~~Still other campuses may be best suited to transition to a four-year~~
5 ~~comprehensive university or be removed from designation as a branch~~
6 ~~campus entirely.~~

7 (5)) It is the legislature's intent that each branch campus be
8 funded commensurate with its unique mission, the degree programs
9 offered, and the institutional combination of instruction and research,
10 but at a level less than a research university.

11 ((+6)) (5) In consultation with the higher education coordinating
12 board, a branch campus may propose legislation to authorize practice-
13 oriented or professional doctoral programs if: (a) Unique research
14 facilities and equipment are located near the campus; or (b) the campus
15 can clearly demonstrate student and employer demand in the region that
16 is linked to regional economic development.

17 ((7) ~~It is not the legislature's intent to have each campus chart~~
18 ~~its own future path without legislative guidance. Instead, the~~
19 ~~legislature intends to consider carefully the mission and model of~~
20 ~~education that best suits each campus and best meets the needs of~~
21 ~~students, the community, and the region.))~~

22 (6) Beginning with the 2006-07 academic year, branch campuses may
23 offer lower division courses and undertake other strategies necessary
24 to transition to full-scale four-year institutions that are responsive
25 to student and employer demand for baccalaureate and master's degrees
26 within their respective regions.

27 (7) When the enrollment of a branch campus approaches seven
28 thousand five hundred full-time equivalent students or at the written
29 request of a campus community advisory board, the governing board of
30 the research university responsible for the campus shall conduct a
31 governance study to consider alternative governance options for the
32 campus, including transition to a separately governed regional
33 university. Results of any such study shall be forwarded to the higher
34 education committees of the senate and the house of representatives.

35 **Sec. 302.** RCW 28B.45.020 and 1994 c 217 s 3 are each amended to
36 read as follows:

37 The University of Washington is responsible for ensuring the

1 expansion of (~~upper-division~~) baccalaureate and graduate educational
2 programs in the central Puget Sound area under rules or guidelines
3 adopted by the higher education coordinating board. The University of
4 Washington shall meet that responsibility through the operation of at
5 least two branch campuses. One branch campus shall be located in the
6 Tacoma area. Another branch campus shall be collocated with Cascadia
7 Community College in the Bothell-Woodinville area.

8 **Sec. 303.** RCW 28B.45.030 and 1989 1st ex.s. c 7 s 4 are each
9 amended to read as follows:

10 Washington State University is responsible for providing (~~upper-~~
11 ~~division~~) baccalaureate and graduate level higher education programs
12 to the citizens of the Tri-Cities area, under rules or guidelines
13 adopted by the higher education coordinating board. Washington State
14 University shall meet that responsibility through the operation of a
15 branch campus in the Tri-Cities area. The branch campus shall replace
16 and supersede the Tri-Cities university center. All land, facilities,
17 equipment, and personnel of the Tri-Cities university center shall be
18 transferred from the University of Washington to Washington State
19 University.

20 **Sec. 304.** RCW 28B.45.040 and 1989 1st ex.s. c 7 s 5 are each
21 amended to read as follows:

22 Washington State University is responsible for providing (~~upper-~~
23 ~~division~~) baccalaureate and graduate level higher education programs
24 to the citizens of the southwest Washington area, under rules or
25 guidelines adopted by the higher education coordinating board.
26 Washington State University shall meet that responsibility through the
27 operation of a branch campus in the southwest Washington area.

28 NEW SECTION. **Sec. 305.** The following acts or parts of acts are
29 each repealed:

30 (1) RCW 28B.45.060 (Central Washington University--Yakima area) and
31 1989 1st ex.s. c 7 s 7; and

32 (2) RCW 28B.45.080 (Partnership between community and technical
33 colleges and branch campuses) and 2004 c 57 s 5 & 1989 1st ex.s. c 7 s
34 8.

1 NEW SECTION. **Sec. 306.** A new section is added to chapter 28B.50
2 RCW to read as follows:

3 (1) It is the legislature's intent to expand baccalaureate capacity
4 in underserved regions of the state to meet student and employer
5 demand. One strategy to accomplish this intent is to allocate state
6 funds for student enrollment to community and technical colleges and
7 authorize the colleges to contract with a regional university or state
8 college as defined in RCW 28B.10.016 or branch campus under chapter
9 28B.45 RCW, to offer baccalaureate degree programs. Another strategy
10 is to authorize, under certain circumstances, community or technical
11 college baccalaureate degrees.

12 (2) Subject to legislative appropriation for the purpose described
13 in this section:

14 (a) A community or technical college may enter into a contract with
15 one or more regional universities, branch campuses, or the state
16 college to offer baccalaureate degree programs on the college campus;

17 (b) The college board may enter into a master contract with
18 regional universities, branch campuses, or the state college to offer
19 baccalaureate degree programs on multiple college campuses; or

20 (c) Subject to approval by the college board under RCW 28B.50.090,
21 a community or technical college may develop and offer an applied
22 baccalaureate degree program, but only if the degree program is not
23 offered by a public four-year institution of higher education.

24 (3) Allocation of funds by the college board shall be based on
25 analysis of gaps in service delivery, capacity, and student and
26 employer demand for programs. Students enrolled in programs under
27 subsection (2)(a) and (b) of this section are considered students of
28 the regional university, branch campus, or state college for all
29 purposes including tuition and reporting of state-funded enrollments.

30 **Sec. 307.** RCW 28B.50.030 and 2003 2nd sp.s. c 4 s 33 are each
31 amended to read as follows:

32 As used in this chapter, unless the context requires otherwise, the
33 term:

34 (1) "System" shall mean the state system of community and technical
35 colleges, which shall be a system of higher education.

36 (2) "Board" shall mean the work force training and education
37 coordinating board.

1 (3) "College board" shall mean the state board for community and
2 technical colleges created by this chapter.

3 (4) "Director" shall mean the administrative director for the state
4 system of community and technical colleges.

5 (5) "District" shall mean any one of the community and technical
6 college districts created by this chapter.

7 (6) "Board of trustees" shall mean the local community and
8 technical college board of trustees established for each college
9 district within the state.

10 (7) "Occupational education" shall mean that education or training
11 that will prepare a student for employment that does not require a
12 baccalaureate degree, as well as education or training leading to an
13 applied baccalaureate degree.

14 (8) "K-12 system" shall mean the public school program including
15 kindergarten through the twelfth grade.

16 (9) "Common school board" shall mean a public school district board
17 of directors.

18 (10) "Community college" shall include those higher education
19 institutions that conduct education programs under RCW 28B.50.020.

20 (11) "Technical college" shall include those higher education
21 institutions with the sole mission of conducting occupational
22 education, basic skills, literacy programs, and offering on short
23 notice, when appropriate, programs that meet specific industry needs.
24 The programs of technical colleges shall include, but not be limited
25 to, continuous enrollment, competency-based instruction, industry-
26 experienced faculty, curriculum integrating vocational and basic skills
27 education, and curriculum approved by representatives of employers and
28 labor. For purposes of this chapter, technical colleges shall include
29 Lake Washington Vocational-Technical Institute, Renton Vocational-
30 Technical Institute, Bates Vocational-Technical Institute, Clover Park
31 Vocational Institute, and Bellingham Vocational-Technical Institute.

32 (12) "Adult education" shall mean all education or instruction,
33 including academic, vocational education or training, basic skills and
34 literacy training, and "occupational education" provided by public
35 educational institutions, including common school districts for persons
36 who are eighteen years of age and over or who hold a high school
37 diploma or certificate. However, "adult education" shall not include
38 academic education or instruction for persons under twenty-one years of

1 age who do not hold a high school degree or diploma and who are
2 attending a public high school for the sole purpose of obtaining a high
3 school diploma or certificate, nor shall "adult education" include
4 education or instruction provided by any four year public institution
5 of higher education.

6 (13) "Dislocated forest product worker" shall mean a forest
7 products worker who: (a)(i) Has been terminated or received notice of
8 termination from employment and is unlikely to return to employment in
9 the individual's principal occupation or previous industry because of
10 a diminishing demand for his or her skills in that occupation or
11 industry; or (ii) is self-employed and has been displaced from his or
12 her business because of the diminishing demand for the business'
13 services or goods; and (b) at the time of last separation from
14 employment, resided in or was employed in a rural natural resources
15 impact area.

16 (14) "Forest products worker" shall mean a worker in the forest
17 products industries affected by the reduction of forest fiber
18 enhancement, transportation, or production. The workers included
19 within this definition shall be determined by the employment security
20 department, but shall include workers employed in the industries
21 assigned the major group standard industrial classification codes "24"
22 and "26" and the industries involved in the harvesting and management
23 of logs, transportation of logs and wood products, processing of wood
24 products, and the manufacturing and distribution of wood processing and
25 logging equipment. The commissioner may adopt rules further
26 interpreting these definitions. For the purposes of this subsection,
27 "standard industrial classification code" means the code identified in
28 RCW 50.29.025(3).

29 (15) "Dislocated salmon fishing worker" means a finfish products
30 worker who: (a)(i) Has been terminated or received notice of
31 termination from employment and is unlikely to return to employment in
32 the individual's principal occupation or previous industry because of
33 a diminishing demand for his or her skills in that occupation or
34 industry; or (ii) is self-employed and has been displaced from his or
35 her business because of the diminishing demand for the business's
36 services or goods; and (b) at the time of last separation from
37 employment, resided in or was employed in a rural natural resources
38 impact area.

1 (16) "Salmon fishing worker" means a worker in the finfish industry
2 affected by 1994 or future salmon disasters. The workers included
3 within this definition shall be determined by the employment security
4 department, but shall include workers employed in the industries
5 involved in the commercial and recreational harvesting of finfish
6 including buying and processing finfish. The commissioner may adopt
7 rules further interpreting these definitions.

8 (17) "Rural natural resources impact area" means:

9 (a) A nonmetropolitan county, as defined by the 1990 decennial
10 census, that meets three of the five criteria set forth in subsection
11 (18) of this section;

12 (b) A nonmetropolitan county with a population of less than forty
13 thousand in the 1990 decennial census, that meets two of the five
14 criteria as set forth in subsection (18) of this section; or

15 (c) A nonurbanized area, as defined by the 1990 decennial census,
16 that is located in a metropolitan county that meets three of the five
17 criteria set forth in subsection (18) of this section.

18 (18) For the purposes of designating rural natural resources impact
19 areas, the following criteria shall be considered:

20 (a) A lumber and wood products employment location quotient at or
21 above the state average;

22 (b) A commercial salmon fishing employment location quotient at or
23 above the state average;

24 (c) Projected or actual direct lumber and wood products job losses
25 of one hundred positions or more;

26 (d) Projected or actual direct commercial salmon fishing job losses
27 of one hundred positions or more; and

28 (e) An unemployment rate twenty percent or more above the state
29 average. The counties that meet these criteria shall be determined by
30 the employment security department for the most recent year for which
31 data is available. For the purposes of administration of programs
32 under this chapter, the United States post office five-digit zip code
33 delivery areas will be used to determine residence status for
34 eligibility purposes. For the purpose of this definition, a zip code
35 delivery area of which any part is ten miles or more from an urbanized
36 area is considered nonurbanized. A zip code totally surrounded by zip
37 codes qualifying as nonurbanized under this definition is also

1 considered nonurbanized. The office of financial management shall make
2 available a zip code listing of the areas to all agencies and
3 organizations providing services under this chapter.

4 (19) "Applied baccalaureate degree" means a baccalaureate degree
5 awarded by a college under section 306 of this act for successful
6 completion of a program of study that is:

7 (a) Specifically designed for individuals who hold an associate of
8 applied science degree, or its equivalent, in order to maximize
9 application of their technical course credits toward the baccalaureate
10 degree; and

11 (b) Based on a curriculum that incorporates both theoretical and
12 applied knowledge and skills in a specific technical field.

13 **Sec. 308.** RCW 28B.50.140 and 2004 c 275 s 58 are each amended to
14 read as follows:

15 Each board of trustees:

16 (1) Shall operate all existing community and technical colleges in
17 its district;

18 (2) Shall create comprehensive programs of community and technical
19 college education and training and maintain an open-door policy in
20 accordance with the provisions of RCW 28B.50.090(3). However,
21 technical colleges, and college districts containing only technical
22 colleges, shall maintain programs solely for occupational education,
23 basic skills, and literacy purposes. For as long as a need exists,
24 technical colleges may continue those programs, activities, and
25 services they offered during the twelve-month period preceding
26 September 1, 1991;

27 (3) Shall employ for a period to be fixed by the board a college
28 president for each community and technical college and, may appoint a
29 president for the district, and fix their duties and compensation,
30 which may include elements other than salary. Compensation under this
31 subsection shall not affect but may supplement retirement, health care,
32 and other benefits that are otherwise applicable to the presidents as
33 state employees. The board shall also employ for a period to be fixed
34 by the board members of the faculty and such other administrative
35 officers and other employees as may be necessary or appropriate and fix
36 their salaries and duties. Compensation and salary increases under
37 this subsection shall not exceed the amount or percentage established

1 for those purposes in the state appropriations act by the legislature
2 as allocated to the board of trustees by the state board for community
3 and technical colleges. The state board for community and technical
4 colleges shall adopt rules defining the permissible elements of
5 compensation under this subsection;

6 (4) May establish, under the approval and direction of the college
7 board, new facilities as community needs and interests demand.
8 However, the authority of boards of trustees to purchase or lease major
9 off-campus facilities shall be subject to the approval of the higher
10 education coordinating board pursuant to RCW 28B.76.230;

11 (5) May establish or lease, operate, equip and maintain
12 dormitories, food service facilities, bookstores and other self-
13 supporting facilities connected with the operation of the community and
14 technical college;

15 (6) May, with the approval of the college board, borrow money and
16 issue and sell revenue bonds or other evidences of indebtedness for the
17 construction, reconstruction, erection, equipping with permanent
18 fixtures, demolition and major alteration of buildings or other capital
19 assets, and the acquisition of sites, rights-of-way, easements,
20 improvements or appurtenances, for dormitories, food service
21 facilities, and other self-supporting facilities connected with the
22 operation of the community and technical college in accordance with the
23 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

24 (7) May establish fees and charges for the facilities authorized
25 hereunder, including reasonable rules (~~and regulations~~) for the
26 government thereof, not inconsistent with the rules (~~and regulations~~)
27 of the college board; each board of trustees operating a community and
28 technical college may enter into agreements, subject to rules (~~and~~
29 ~~regulations~~) of the college board, with owners of facilities to be
30 used for housing regarding the management, operation, and government of
31 such facilities, and any board entering into such an agreement may:

32 (a) Make rules (~~and regulations~~) for the government, management
33 and operation of such housing facilities deemed necessary or advisable;
34 and

35 (b) Employ necessary employees to govern, manage and operate the
36 same;

37 (8) May receive such gifts, grants, conveyances, devises and
38 bequests of real or personal property from private sources, as may be

1 made from time to time, in trust or otherwise, whenever the terms and
2 conditions thereof will aid in carrying out the community and technical
3 college programs as specified by law and the ((~~regulations~~)) rules of
4 the state college board; sell, lease or exchange, invest or expend the
5 same or the proceeds, rents, profits and income thereof according to
6 the terms and conditions thereof; and adopt ((~~regulations~~)) rules to
7 govern the receipt and expenditure of the proceeds, rents, profits and
8 income thereof;

9 (9) May establish and maintain night schools whenever in the
10 discretion of the board of trustees it is deemed advisable, and
11 authorize classrooms and other facilities to be used for summer or
12 night schools, or for public meetings and for any other uses consistent
13 with the use of such classrooms or facilities for community and
14 technical college purposes;

15 (10) May make rules ((~~and regulations~~)) for pedestrian and
16 vehicular traffic on property owned, operated, or maintained by the
17 district;

18 (11) Shall prescribe, with the assistance of the faculty, the
19 course of study in the various departments of the community and
20 technical college or colleges under its control, and publish such
21 catalogues and bulletins as may become necessary;

22 (12) May grant to every student, upon graduation or completion of
23 a course of study, a suitable diploma, ((~~nonbaccalaureate~~)) degree, or
24 certificate. Technical colleges shall offer only ((~~nonbaccalaureate~~))
25 technical or applied baccalaureate degrees under the rules of the state
26 board for community and technical colleges that are appropriate to
27 their work force education and training mission. The primary purpose
28 of ((~~this~~)) these degrees is to lead the individual directly to
29 employment in a specific occupation. Technical colleges may not offer
30 transfer degrees. The board, upon recommendation of the faculty, may
31 also confer honorary associate of arts degrees upon persons other than
32 graduates of the community college, in recognition of their learning or
33 devotion to education, literature, art, or science. No degree may be
34 conferred in consideration of the payment of money or the donation of
35 any kind of property;

36 (13) Shall enforce the rules ((~~and regulations~~)) prescribed by the
37 state board for community and technical colleges for the government of
38 community and technical colleges, students and teachers, and promulgate

1 such rules ((~~and regulations~~)) and perform all other acts not
2 inconsistent with law or rules ((~~and regulations~~)) of the state board
3 for community and technical colleges as the board of trustees may in
4 its discretion deem necessary or appropriate to the administration of
5 college districts: PROVIDED, That such rules ((~~and regulations~~)) shall
6 include, but not be limited to, rules ((~~and regulations~~)) relating to
7 housing, scholarships, conduct at the various community and technical
8 college facilities, and discipline: PROVIDED, FURTHER, That the board
9 of trustees may suspend or expel from community and technical colleges
10 students who refuse to obey any of the duly promulgated rules ((~~and~~
11 ~~regulations~~));

12 (14) May, by written order filed in its office, delegate to the
13 president or district president any of the powers and duties vested in
14 or imposed upon it by this chapter. Such delegated powers and duties
15 may be exercised in the name of the district board;

16 (15) May perform such other activities consistent with this chapter
17 and not in conflict with the directives of the college board;

18 (16) Notwithstanding any other provision of law, may offer
19 educational services on a contractual basis other than the tuition and
20 fee basis set forth in chapter 28B.15 RCW for a special fee to private
21 or governmental entities, consistent with rules ((~~and regulations~~))
22 adopted by the state board for community and technical colleges:
23 PROVIDED, That the whole of such special fee shall go to the college
24 district and be not less than the full instructional costs of such
25 services including any salary increases authorized by the legislature
26 for community and technical college employees during the term of the
27 agreement: PROVIDED FURTHER, That enrollments generated hereunder
28 shall not be counted toward the official enrollment level of the
29 college district for state funding purposes;

30 (17) Notwithstanding any other provision of law, may offer
31 educational services on a contractual basis, charging tuition and fees
32 as set forth in chapter 28B.15 RCW, counting such enrollments for state
33 funding purposes, and may additionally charge a special supplemental
34 fee when necessary to cover the full instructional costs of such
35 services: PROVIDED, That such contracts shall be subject to review by
36 the state board for community and technical colleges and to such rules
37 as the state board may adopt for that purpose in order to assure that
38 the sum of the supplemental fee and the normal state funding shall not

1 exceed the projected total cost of offering the educational service:
2 PROVIDED FURTHER, That enrollments generated by courses offered on the
3 basis of contracts requiring payment of a share of the normal costs of
4 the course will be discounted to the percentage provided by the
5 college;

6 (18) Shall be authorized to pay dues to any association of trustees
7 that may be formed by the various boards of trustees; such association
8 may expend any or all of such funds to submit biennially, or more often
9 if necessary, to the governor and to the legislature, the
10 recommendations of the association regarding changes which would affect
11 the efficiency of such association;

12 (19) May participate in higher education centers and consortia that
13 involve any four-year public or independent college or university:
14 PROVIDED, That new degree programs or off-campus programs offered by a
15 four-year public or independent college or university in collaboration
16 with a community or technical college are subject to approval by the
17 higher education coordinating board under RCW 28B.76.230; and

18 (20) Shall perform any other duties and responsibilities imposed by
19 law or rule (~~(and regulation)~~) of the state board.

20 **Sec. 309.** RCW 28B.15.069 and 2003 c 232 s 5 are each amended to
21 read as follows:

22 (1) The building fee for each academic year shall be a percentage
23 of total tuition fees. This percentage shall be calculated by the
24 higher education coordinating board and be based on the actual
25 percentage the building fee is of total tuition for each tuition
26 category in the 1994-95 academic year, rounded up to the nearest half
27 percent.

28 (2) The governing boards of each institution of higher education,
29 except for the technical colleges, shall charge to and collect from
30 each student a services and activities fee. A governing board may
31 increase the existing fee annually, consistent with budgeting
32 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
33 the annual percentage increase in student tuition fees for resident
34 undergraduate students: PROVIDED, That such percentage increase shall
35 not apply to that portion of the services and activities fee previously
36 committed to the repayment of bonded debt. These rate adjustments may
37 exceed the fiscal growth factor. For the 2003-04 academic year, the

1 services and activities fee shall be based upon the resident
2 undergraduate services and activities fee in 2002-03. The services and
3 activities fee committee provided for in RCW 28B.15.045 may initiate a
4 request to the governing board for a fee increase.

5 (3) Tuition and services and activities fees consistent with
6 subsection (2) of this section shall be set by the state board for
7 community and technical colleges for community college summer school
8 students unless the community college charges fees in accordance with
9 RCW 28B.15.515.

10 (4) Subject to the limitations of RCW 28B.15.910, each governing
11 board of a community college may charge such fees for ungraded courses,
12 noncredit courses, community services courses, and self-supporting
13 courses as it, in its discretion, may determine, consistent with the
14 rules of the state board for community and technical colleges.

15 (5) The governing board of a community or technical college
16 offering an applied baccalaureate degree program under section 306 of
17 this act may charge tuition fees for those courses above the associate
18 degree level at rates consistent with rules adopted by the state board
19 for community and technical colleges, not to exceed tuition fee rates
20 at the regional universities.

21 **PART IV**
22 **ACCOUNTABILITY**

23 NEW SECTION. Sec. 401. (1) The legislature finds that, since
24 1997, public institutions of higher education have developed and
25 maintained a system of performance measures to monitor progress in
26 improving graduation efficiency, faculty productivity, student
27 achievement of degrees and certifications, and other topics. However,
28 the current performance measurement system is too limited in scope and
29 scale. Only a few measures reflect the unique role and mission of an
30 institution. There is little dialogue between state policymakers and
31 institution leaders regarding the challenges facing our colleges and
32 universities and the outcomes expected by the public and the state.

33 (2) The legislature further finds that procedures for operating
34 budgets, enrollment management, and strategic planning for higher
35 education are not adequately coordinated. The state and institutions

1 must jointly discuss and establish clear priorities and acknowledge
2 potential trade-offs of funding decisions.

3 (3) Therefore, the legislature intends to explore a new
4 relationship between the state and public institutions of higher
5 education that includes dialogue and negotiation over goals,
6 priorities, performance, and resources, and also includes explicit
7 commitments made by each party aimed at achieving agreed-upon outcomes.
8 The mechanism to implement this relationship is a performance contract.

9 NEW SECTION. **Sec. 402.** As used in this chapter, a performance
10 contract:

11 (1) Is an agreement reached between the state and the governing
12 board of an institution of higher education, or in the case of
13 community or technical colleges the state board for community and
14 technical colleges, as provided in section 404 of this act and approved
15 by the legislature as provided in section 407 of this act;

16 (2) Addresses statewide goals and priorities of the legislature;

17 (3) Specifies enrollment and resource levels;

18 (4) Contains goals and commitments from both the institution and
19 the state;

20 (5) Includes quantifiable performance measures and benchmarks; and

21 (6) Reflects the unique role and mission of the institution within
22 the state's higher education system.

23 NEW SECTION. **Sec. 403.** (1) The higher education coordinating
24 board, in consultation with the governor's office and the office of
25 financial management, shall enter into negotiations with the governing
26 boards of the state universities, the regional universities, and the
27 state college, as defined in RCW 28B.10.016, to create a performance
28 contract with each institution.

29 (2) The governor's office with assistance from the higher education
30 coordinating board and the office of financial management shall enter
31 into negotiations with the state board for community and technical
32 colleges to create a master performance contract with the system of
33 community and technical colleges created under chapter 28B.50 RCW.

34 (3) In developing a contract, the negotiating team from an
35 institution of higher education must involve student and faculty
36 representatives.

1 (4) The term of a performance contract negotiated under this
2 section is six years, however either party may request that a contract
3 be renegotiated and updated on a biennial basis if necessary to reflect
4 changed circumstances. All performance contracts must include a
5 process for renegotiation or update.

6 (5) The institutions of higher education and state board for
7 community and technical colleges shall report all data necessary to
8 implement, evaluate, and monitor each performance contract to the
9 office of financial management, the legislature, and the higher
10 education coordinating board.

11 NEW SECTION. **Sec. 404.** (1) Performance contracts shall contain:

12 (a) Indicators that measure outcomes concerning cost, quality,
13 timeliness of student progress toward degrees and certifications, and
14 articulation between and within the K-12 and higher education systems;

15 (b) Each institution's share of enrollments and degrees needed to
16 meet the state's goals and strategic direction;

17 (c) Indicators that measure the efficiency and effectiveness of
18 institutional processes; and

19 (d) Strategies, actions, and results committed to by the
20 institution in order to achieve statewide goals.

21 (2) Performance contracts shall also identify the level of
22 resources necessary to meet the performance objectives, subject to
23 approval by the legislature under section 407 of this act.

24 (3) The governor and institutional negotiating teams shall identify
25 indicators and levels of performance that are clearly linked to the
26 role, mission, and strategic plan of the institution.

27 NEW SECTION. **Sec. 405.** (1) Performance contracts shall include
28 grants to the institution, under the terms of the contract, of
29 flexibility or waivers from state controls or rules.

30 (2) The negotiating teams shall identify areas where statutory
31 change is necessary to grant an institution flexibility or waivers of
32 state agency rules and submit any legislation necessary to implement a
33 performance contract to the higher education committees of the senate
34 and house of representatives.

35 (3) The following areas may not be included in a performance
36 contract:

1 (a) Flexibility or waivers of requirements in a collective
2 bargaining agreement negotiated under chapter 28B.52, 41.56, 41.59,
3 41.76, or 41.80 RCW;

4 (b) Flexibility or waivers of administrative rules or processes
5 governed by chapter 28B.52, 41.56, 41.59, 41.76, or 41.80 RCW;

6 (c) Rules, processes, duties, rights, and responsibilities of the
7 academic faculty as contained in the faculty codes of the four-year
8 institution;

9 (d) Flexibility or waivers of requirements under chapter 39.12 RCW;

10 (e) Flexibility or waivers of administrative rules or other
11 regulations that address health and safety, civil rights, and
12 nondiscrimination laws that apply to institutions of higher education;
13 and

14 (f) State laws covering terms and conditions of employment,
15 including but not limited to salaries, job security, and health,
16 retirement, unemployment, or any other employment benefits.

17 NEW SECTION. **Sec. 406.** (1) The higher education coordinating
18 board and the governor's office shall submit completed performance
19 contracts to the legislature by January 15, 2006, and every six years
20 thereafter. Following public hearings, the legislature shall have the
21 opportunity, by concurrent resolution, to approve or reject each
22 performance contract as a whole.

23 (2) If the legislature rejects or fails to act on a submission, the
24 performance contract shall be returned to the parties for
25 renegotiation.

26 (3) All cost items contained within a performance contract are
27 subject to legislative appropriation.

28 NEW SECTION. **Sec. 407.** (1) Beginning December 2006, the higher
29 education coordinating board and the state board for community and
30 technical colleges shall provide annual progress reports to the higher
31 education committees of the senate and house of representatives on
32 implementation of the performance contracts and any short-term
33 outcomes. The overall purpose of the progress reports is to focus
34 attention on key measures of institutional performance and gain an
35 improved understanding of the causes of success or lack of success in
36 making progress in achieving the goals in the contract.

1 (2) The joint legislative audit and review committee shall conduct
2 an evaluation and make recommendations regarding changes to the
3 substance or process of performance contracting. The evaluation shall
4 be submitted to the governor and higher education committees of the
5 senate and house of representatives by January 15, 2012.

6 **Sec. 408.** RCW 28B.50.090 and 2004 c 275 s 57 are each amended to
7 read as follows:

8 The college board shall have general supervision and control over
9 the state system of community and technical colleges. In addition to
10 the other powers and duties imposed upon the college board by this
11 chapter, the college board shall be charged with the following powers,
12 duties and responsibilities:

13 (1) Review the budgets prepared by the boards of trustees, prepare
14 a single budget for the support of the state system of community and
15 technical colleges and adult education, and submit this budget to the
16 governor as provided in RCW 43.88.090;

17 (2) Establish guidelines for the disbursement of funds; and receive
18 and disburse such funds for adult education and maintenance and
19 operation and capital support of the college districts in conformance
20 with the state and district budgets, and in conformance with chapter
21 43.88 RCW;

22 (3) Ensure, through the full use of its authority:

23 (a) That each college district shall offer thoroughly comprehensive
24 educational, training and service programs to meet the needs of both
25 the communities and students served by combining high standards of
26 excellence in academic transfer courses; realistic and practical
27 courses in occupational education, both graded and ungraded; and
28 community services of an educational, cultural, and recreational
29 nature; and adult education, including basic skills and general,
30 family, and work force literacy programs and services. However,
31 technical colleges, and college districts containing only technical
32 colleges, shall maintain programs solely for occupational education,
33 basic skills, and literacy purposes. For as long as a need exists,
34 technical colleges may continue those programs, activities, and
35 services they offered during the twelve-month period preceding May 17,
36 1991;

1 (b) That each college district shall maintain an open-door policy,
2 to the end that no student will be denied admission because of the
3 location of the student's residence or because of the student's
4 educational background or ability; that, insofar as is practical in the
5 judgment of the college board, curriculum offerings will be provided to
6 meet the educational and training needs of the community generally and
7 the students thereof; and that all students, regardless of their
8 differing courses of study, will be considered, known and recognized
9 equally as members of the student body: PROVIDED, That the
10 administrative officers of a community or technical college may deny
11 admission to a prospective student or attendance to an enrolled student
12 if, in their judgment, the student would not be competent to profit
13 from the curriculum offerings of the college, or would, by his or her
14 presence or conduct, create a disruptive atmosphere within the college
15 not consistent with the purposes of the institution. This subsection
16 (3)(b) shall not apply to competency, conduct, or presence associated
17 with a disability in a person twenty-one years of age or younger
18 attending a technical college;

19 (4) Prepare a comprehensive master plan for the development of
20 community and technical college education and training in the state;
21 and assist the office of financial management in the preparation of
22 enrollment projections to support plans for providing adequate college
23 facilities in all areas of the state. The master plan shall include
24 implementation of the vision, goals, priorities, and strategies in the
25 statewide strategic master plan for higher education under RCW
26 28B.76.200 based on the community and technical college system's role
27 and mission. The master plan shall also contain measurable performance
28 indicators and benchmarks for gauging progress toward achieving the
29 goals and priorities;

30 (5) Define and administer criteria and guidelines for the
31 establishment of new community and technical colleges or campuses
32 within the existing districts;

33 (6) Establish criteria and procedures for modifying district
34 boundary lines consistent with the purposes set forth in RCW 28B.50.020
35 as now or hereafter amended and in accordance therewith make such
36 changes as it deems advisable;

37 (7) Establish minimum standards to govern the operation of the
38 community and technical colleges with respect to:

- 1 (a) Qualifications and credentials of instructional and key
2 administrative personnel, except as otherwise provided in the state
3 plan for vocational education,
- 4 (b) Internal budgeting, accounting, auditing, and financial
5 procedures as necessary to supplement the general requirements
6 prescribed pursuant to chapter 43.88 RCW,
- 7 (c) The content of the curriculums and other educational and
8 training programs, and the requirement for degrees and certificates
9 awarded by the colleges,
- 10 (d) Standard admission policies,
- 11 (e) Eligibility of courses to receive state fund support;
- 12 (8) Establish and administer criteria and procedures for all
13 capital construction including the establishment, installation, and
14 expansion of facilities within the various college districts;
- 15 (9) Encourage innovation in the development of new educational and
16 training programs and instructional methods; coordinate research
17 efforts to this end; and disseminate the findings thereof;
- 18 (10) Exercise any other powers, duties and responsibilities
19 necessary to carry out the purposes of this chapter;
- 20 (11) Authorize the various community and technical colleges to
21 offer programs and courses in other districts when it determines that
22 such action is consistent with the purposes set forth in RCW 28B.50.020
23 as now or hereafter amended;
- 24 (12) Notwithstanding any other law or statute regarding the sale of
25 state property, sell or exchange and convey any or all interest in any
26 community and technical college real and personal property, except such
27 property as is received by a college district in accordance with RCW
28 28B.50.140(8), when it determines that such property is surplus or that
29 such a sale or exchange is in the best interests of the community and
30 technical college system;
- 31 (13) In order that the treasurer for the state board for community
32 and technical colleges appointed in accordance with RCW 28B.50.085 may
33 make vendor payments, the state treasurer will honor warrants drawn by
34 the state board providing for an initial advance on July 1, 1982, of
35 the current biennium and on July 1 of each succeeding biennium from the
36 state general fund in an amount equal to twenty-four percent of the
37 average monthly allotment for such budgeted biennium expenditures for
38 the state board for community and technical colleges as certified by

1 the office of financial management; and at the conclusion of such
2 initial month and for each succeeding month of any biennium, the state
3 treasurer will reimburse expenditures incurred and reported monthly by
4 the state board treasurer in accordance with chapter 43.88 RCW:
5 PROVIDED, That the reimbursement to the state board for actual
6 expenditures incurred in the final month of each biennium shall be less
7 the initial advance made in such biennium;

8 (14) Notwithstanding the provisions of subsection (12) of this
9 section, may receive such gifts, grants, conveyances, devises, and
10 bequests of real or personal property from private sources as may be
11 made from time to time, in trust or otherwise, whenever the terms and
12 conditions thereof will aid in carrying out the community and technical
13 college programs and may sell, lease or exchange, invest or expend the
14 same or the proceeds, rents, profits and income thereof according to
15 the terms and conditions thereof; and adopt regulations to govern the
16 receipt and expenditure of the proceeds, rents, profits and income
17 thereof;

18 (15) The college board shall have the power of eminent domain;

19 (16) Provide general supervision over the state's technical
20 colleges. The president of each technical college shall report
21 directly to the director of the state board for community and technical
22 colleges, or the director's designee, until local control is assumed by
23 a new or existing board of trustees as appropriate, except that a
24 college president shall have authority over program decisions of his or
25 her college until the establishment of a board of trustees for that
26 college. The directors of the vocational-technical institutes on March
27 1, 1991, shall be designated as the presidents of the new technical
28 colleges; and

29 (17) Enter into negotiations to create a master performance
30 contract for the system of community and technical colleges as provided
31 in chapter 28B.-- RCW (sections 401 through 407 of this act).

32 **Sec. 409.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to
33 read as follows:

34 The board shall coordinate educational activities among all
35 segments of higher education taking into account the educational
36 programs, facilities, and other resources of both public and
37 independent two and four-year colleges and universities. The four-year

1 institutions and the state board for community and technical colleges
2 shall coordinate information and activities with the board. The board
3 shall have the following additional responsibilities:

4 (1) Promote interinstitutional cooperation;

5 (2) Establish minimum admission standards for four-year
6 institutions, including a requirement that coursework in American sign
7 language or an American Indian language shall satisfy any requirement
8 for instruction in a language other than English that the board or the
9 institutions may establish as a general undergraduate admissions
10 requirement;

11 (3) Establish transfer policies;

12 (4) Adopt rules implementing statutory residency requirements;

13 (5) Develop and administer reciprocity agreements with bordering
14 states and the province of British Columbia;

15 (6) Review and recommend compensation practices and levels for
16 administrative employees, exempt under chapter ((28B.16)) 41.06 RCW,
17 and faculty using comparative data from peer institutions;

18 (7) Monitor higher education activities for compliance with all
19 relevant state policies for higher education;

20 (8) Arbitrate disputes between and among four-year institutions or
21 between and among four-year institutions and community colleges at the
22 request of one or more of the institutions involved, or at the request
23 of the governor, or from a resolution adopted by the legislature. The
24 decision of the board shall be binding on the participants in the
25 dispute;

26 (9) Establish and implement a state system for collecting,
27 analyzing, and distributing information;

28 (10) Recommend to the governor and the legislature ways to remove
29 any economic incentives to use off-campus program funds for on-campus
30 activities; ((and))

31 (11) Make recommendations to increase minority participation, and
32 monitor and report on the progress of minority participation in higher
33 education; and

34 (12) Enter into negotiations to create performance contracts with
35 the governing boards of the public four-year institutions as provided
36 in chapter 28B.-- RCW (sections 401 through 407 of this act).

